

## Restrictive Procedures Plan

*In accordance with Minnesota Statute 125A.0942, Subd. 1, every school district is required to develop and make public a plan that discloses its use of restrictive procedures. The plan specifically outlines the list of restrictive procedures the school intends to use; how the school will monitor and review the use of restrictive procedures, including post use debriefings and convening an oversight committee; and a written description and documentation of the training staff have received and who received the training.*

**Kelliher School District uses restrictive procedures only in emergency situations even if written into a child's Individual Educational Plan (IEP) or Behavior Intervention Plan (BIP). "Emergency means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists." Minn. Stat. 125A.0941(b).**

### Restrictive Procedures used in Kelliher School District

- I. Physical holding:
  1. Physical holding procedures are used as the least intrusive procedure necessary to keep students and staff safe in emergency situations. Selected staff is taught techniques of physical holding through CPI-Crisis Prevention Intervention on an annual basis.
  2. Physical holding means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint. Physical holding ends when the threat of harm ends and the staff determine the child can safely return to the classroom or activity.
  3. The term Physical holding does not mean physical contact that: (a) Helps a child respond or complete a task;(b) Assists a child without restricting the child's movement; (c) Is needed to administer an authorized health-related service or procedure; or (d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal. Physical holding is not used to discipline a noncompliant child.
  4. Kelliher School District intends to use the following types of physical holding:
    - a) CPI Children's Control Position
    - b) CPI Team Control Position
    - c) CPI Transport Position
    - d) CPI Interim Control Position

I. Seclusion Rooms:

1. Seclusion means confining a child alone in a room from which egress is barred.
2. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.
3. The Kelliher District does not have a seclusion room in the School. The district retains the option of developing seclusion rooms based on individual needs of students.
4. Seclusion rooms will meet the Minnesota Department of Education (MDE) requirements for such rooms and will be registered with the State of Minnesota.
5. Kelliher Public School intends to use the following rooms as rooms for seclusion:
  - a. Currently, no seclusion rooms are registered with MDE or in use.
6. A written notice will be obtained from the State Fire Marshal that indicates compliance with applicable building, fire and safety codes for seclusion rooms.
7. The room Kelliher Public School intends to use for seclusion will be registered with Minnesota Department of Education and will be made active upon approval from Minnesota Department of Education.

### **Before Incorporating Restrictive Procedures into the Individual Education Plan (IEP) or Behavior Intervention Plan (BIP)**

1. Before incorporating restrictive procedures into the IEP or BIP, the IEP team must ensure that a Functional Behavior Assessment (FBA) has been completed. The IEP team must use the FBA information along with the present levels of performance, needs, goals and objectives to develop a BIP. Required components of a Behavior Intervention Plan (BIP):
  - (a) Include positive behavior supports, de-escalation procedures, instruction in appropriate behavior, and other preventative measures in the BIP,
  - (b) Document which restrictive procedure is being included and why it is the least restrictive effective intervention. The BIP must identify the frequency and severity of target behaviors for which the regulated intervention is being considered; and anticipated criteria for returning the pupil to the routine activities and regular education environment if the intervention is used.
  - (c) Document the physical health and psychological assessments determined that physical holding is not advised, or to be used, because of psychological or physical health reasons, if any, or include a statement that the team has ruled out any psychological or physical health reasons requiring that a physical hold NOT be used.
  - (d) Must document in the IEP or BIP how the parent wants to be notified when a restrictive procedure is used.

### **Frequency - Use of Restrictive Procedures**

The District will hold an IEP meeting: within ten calendar days after district staff use restrictive procedures on two separate school days within thirty calendar days, or if a student is removed from a classroom, school building, or school grounds by a peace officer at the request of school personnel, or when a pattern of behavior emerges and the child's IEP or behavior intervention plan does not provide for using restrictive procedures in an emergency; or at the request of a parent or a district after restrictive procedures are used. The district must review use of Restrictive procedure at the child's annual IEP team meeting when the IEP provides for using restrictive procedures in an emergency.

If the IEP team determines that existing interventions and supports are ineffective in reducing the use of restrictive procedures or the district uses restrictive procedures on a child on ten or more school days during the same school year, the team, as appropriate, must consult with other professionals working with the child; consult with experts in behavior analysis, mental health, communication, or autism; consult with culturally competent professionals; review existing evaluations, resources, and successful strategies; or consider whether to reevaluate the child.

The team must conduct or review a functional behavioral analysis, review data, consider developing additional or revised behavior interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the IEP or the BIP. The District may use restrictive interventions in emergencies until the team meets, provided the emergency measures are deemed necessary by the district to protect the individual pupil or others from harm.

### **Monitoring and Reviewing the Use of Restrictive Procedures**

1. The Kelliher School District will monitor and review the use of restrictive procedures in the following manner. Each time physical holding is used, the staff person who implements or oversees the

physical holding, shall document, as soon as possible after the incident concludes, the following information on the Restrictive Procedures Form:

- a) A description of the incident that led to the physical holding; Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; The time the physical holding began and the time the child was released; and A brief record of the child's behavioral and physical status.
- b) A copy of the completed Restrictive Procedures Form must be given to the designated building administrator, the student's IEP case manager, and a copy put in the student's file.
- c) School will make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the child; or if the school is unable to provide same-day notice, notice is sent within two days by written or electronics means; or as otherwise indicated by the child's parent.

**Note:** Attached is Kelliher's form used to document the use of restrictive procedures.

**Post-use debriefings:**

1. Each time physical holding is used, the staff person who implemented or oversaw the physical holding shall conduct a post-use debriefing as soon as possible after the incident with the staff involved and district administrator.
2. The post-use debriefing will review the following: (a) whether the physical hold was used in an emergency, (b) the physical hold was the least intrusive intervention that effectively responds to the emergency, (c) the physical hold ended when the threat of harm ended and staff determined that the child could safely return to the activity, (d) the staff directly observed the child while physical holding was being used, (e) documentation was completed correctly, (f) Parents were correctly notified, (g) whether an IEP team meeting needs to be scheduled, (h) the appropriate staff used the physical hold, and (i) whether the staff that used physical holding was appropriately trained.

**Note:** If the post-use debriefing reveals that the use of physical holding was not used appropriately, the Kelliher School District will ensure that an immediate corrective action is taken by providing review of this plan outlining appropriate use of restrictive procedures and determining if more training is needed for staff in the district.

**Positive Behavior Strategies**

1. Kelliher uses a positive approach to teaching and learning which emphasizes social, emotional and academic growth in a strong and safe school community. The approach consists of classroom and Schoolwide practices for deliberately helping children build academic and social-emotional competencies.
2. Through the evaluation process, the district will determine strengths and weaknesses of individual students and include, as appropriate, positive behavior strategies, replacement skills building, and/or social skills training into the Individual Education Plan (IEP).

### **Link to Mental Health Services**

If warranted, and as a result of a Mental Health Screening, information on available Mental Health Services will be provided to the student's parents or guardian by the School Psychologist, or School Social Worker. One resource is:

Stellher Human Services - 218-444-2845

### **Oversight Committee**

1. Kelliher School District school oversight committee will convene quarterly (if any restraints have occurred) to review the use of restrictive procedures based on patterns or problems indicated by similarities in the time of day, day of the week, duration of the use of a procedure, the individuals involved, or other factors associated with the use of restrictive procedures; the number of times a restrictive procedure is used school wide and for individual children; the number and types of injuries, if any, resulting from the use of restrictive procedures; whether restrictive procedures are used in nonemergency situation; the need for additional staff training; and proposed actions to minimize the use of restrictive procedures.
2. This committee will include: (1) a mental health professional, school psychologist, or school social worker; (2) an expert in positive behavior strategies; (3) a special education administrator; and (4) a general education administrator.

### **Authorized Staff**

1. The following staff are authorized by Minnesota Statute 125A.0942, Subd. 2 to use restrictive procedures if they have been properly trained:
  - (a) Licensed special education teacher, (b) School social worker, (c) School psychologist, (d) Behavior analyst certified by the National Behavior Analyst Certification Board, (e) Person with a master's degree in behavior analysis, (f) Other licensed education professional, (g) paraprofessional, or (h) Mental health professional.

### **Staff Training**

1. Targeted staff will be trained in the following areas using CPI-Crisis Prevention Intervention. Additional training will be provided by the Director of Special Education on the topic of Positive Behavioral Supports and Interventions and required components of a Behavior Intervention Plan.
  - (a) Positive behavioral intervention: CPI Crisis Development Model, Verbal Interventions
  - (b) Communicative intent of behaviors: CPI Unit entitled: CPI Crisis Development Model, Preventative Techniques

- (c) relationship building: CPI United entitled: Preventative Techniques
- (d) alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior: CPI Unit entitled: Precipitating Factors, Rational Detachment, Integrated Experience
- (e) de-escalation methods: CPI Unit entitled: CPI Crisis Development Model
- (f) standards for using restrictive procedures only in an emergency: CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, & Understanding the Risks of Restraints
- (g) obtaining emergency medical assistance: Nonviolent Physical Crisis Intervention and Team Intervention, & training on local numbers to call in case of an emergency
- (h) the physiological and psychological impact of physical signs of distress when using physical holding: CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, Understanding the Risks of Restraints, & Crisis Development Model
- (i) monitoring and responding to a child's physical signs of distress when physical holding is being used: CPI Unit entitled: Nonviolent Physical Crisis Intervention and Team Intervention
- (j) recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used: CPI Unit entitled: Participant workbook Chapter Understanding the Risks of Restraints
- (k) district policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure; and
- (l) schoolwide programs on positive behavior strategies.

The district will maintain records of staff that have been trained and the organization or professional that conducted the training.

#### **Restrictive Procedures NOT used by the district**

The district does **not** use the following Restrictive Procedures: (1) Seclusion. Definition: Confining a child alone in a room from which egress is barred. In 2013, the Legislature clarified that: "Egress may be barred by an adult locking or closing the door in a room or preventing the child from leaving the room." (2) Prone Restraint. Definition: Placing a child in a face down position.

#### **Reasonable Force Permitted**

"Nothing in this section or section 125A.0941 precludes the use of reasonable force under sections 121A.582; 609.06, subdivision 1; and 609.379." See Minn. Stat. 125A.0942

**Contact Information**

If you have questions pertaining to this Restrictive Procedures Plan, please contact the district's building administrator, or Director of Special Education at 218-751-6622.

***Legal Authority***

*Minn. R 3525.0850*

*Minn. Stat. 125A.094*

*Minn. R 3525.2710, subp. 4(F)*

*Minn. Stat. 125A.0941*

*Minn. R 3525.2810, subp. 2(B)(1)*

*Minn. Stat. 125A.0942*

*Minnesota State Fire Code, Minn. R 7511.1008, subp. 3*

*Minn. Stat. 121A.067, subd. 2*

*Minnesota State Building Code, Minn. R 1305.1008, subp. 8*



# STAFF DEBRIEFING MEETING

Student: \_\_\_\_\_ Date of Incident: \_\_\_\_\_ Date of Debriefing: \_\_\_\_\_  
 ID: \_\_\_\_\_ DOB: \_\_\_\_\_  
 School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student was on an IEP:            Yes    No                            Was IEP implemented correctly?            Yes    No  
 Was a BIP in place:            Yes    No                            Was BIP implemented correctly?            Yes    No

Identify the antecedents, triggers and proactive interventions used prior to escalation:

Briefly describe the impact of these less restrictive interventions:

What behavior necessitated the use of a restrictive procedure?

Describe student and staff behavior during the incident:

What actions helped or didn't help?

Describe the procedure used to return the student to his/her routine activity:

Was the hold/seclusion the response to an emergency situation?            Yes    No  
 Was the hold/seclusion the least restrictive intervention?            Yes    No  
 Did the hold/seclusion end when the threat of harm ended?            Yes    No  
 Is corrective action needed?            Yes    No  
 Is the behavior likely to reoccur?             Yes     No  
 Follow-up action to prevent the need for future use of restrictive procedures:

### Behavior History:

Other restrictive procedures used in the last 4 weeks:            Yes    No  
 Restrictive procedures used twice in a month:            Yes    No  
 Does the team see this as a pattern?             Yes     No  
 Does the child's IEP team need to meet?             Yes     No

**Staff Attending Debriefing** (should include one individual not involved in the incident) **Circle Facilitator's Name**



	<b>Use of Restrictive Procedures: Physical Holding</b>
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Student: \_ ID: \_ Date: \_

School: \_ Grade: \_ DOB: \_

**Directions:** Complete this form whenever a physical hold is used. All students must be monitored by an adult at all times. End the intervention when the threat of harm ends and staff determine that the student can safely return to the classroom or activity. A debriefing meeting must be held within two (2) days and a Staff Debriefing Meeting form completed.

**Staff involved:**

Signature of person completing this form:

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Description of incident that led to physical holding:

Time physical hold began: Ended: Total Time: \_

Description of physical holding and the student's behavior and physical status:

Intervention was to protect student or others from physical injury:  Yes  No  
Intervention was used to prevent serious property damage: Yes No  
Did staff directly observe the child during the physical hold: Yes No  
Did the physical holding end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity:  Yes  No

Positive and least restrictive interventions tried before use of restrictive procedure:

Description why a less restrictive intervention failed or was determined to be inappropriate or impractical:

**Parent Notification:** Parents must be notified the same day a restrictive procedure is used. A written or electronic notice must be sent home within two (2) days if unable to notify on the same day.

Parent: Date: Time: \_

Notified by:

Parent Comments:

cation.state.mn.us

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